

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Jay M. Short

Application No.: 09/089,789

Filed: June 3, 1998

For: CONSTRUCTION AND USE OF
CATALOGUED NUCLEIC ACID
LIBRARIES THAT CONTAIN
ADVANTAGEOUSLY ADJUSTED
REPRESENTATIONS OF DEFINED
COMPONENTS

Confirmation No.: 3204

Art Unit: 1635

Examiner: Sean McGarry

MS RCE
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

RCE RESPONSE TO FINAL OFFICE ACTION

Dear Sir:

Responsive to the Final Office Action mailed December 30, 2009 (hereafter "the OA"), Applicants respectfully request entry of this RCE with Amendment and consideration of the Remarks set forth herein. A response was initially due March 30, 2010. A petition to extend time for 3 months to June 30, 2010, is enclosed. Accordingly, this response is timely filed.

This response is accompanied by a request for continued examination (RCE) under 37 C.F.R. §1.114. Thus, the finality of the outstanding final office action will be withdrawn and Applicants are entitled to have this first submission for this RCE entered and considered on the merits.

Amendments to the claims are reflected in the listing of claims beginning on page 3 of this paper.

Remarks begin on page 12 of this paper.

Transmitted herewith are the following documents:

- Transmittal and petition to extend time for 3 months;
- Terminal Disclaimer;

- Request for continued examination; and
- Statement under 37 C.F.R. § 3.73(b).